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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/791,682	03/02/2004	Robert G. Schinazi	RSZ-4

22827  
DORITY & MANNING, P.A.  
POST OFFICE BOX 1449  
GREENVILLE, SC 29602-1449

**CONFIRMATION NO. 2590**

**FORMALITIES LETTER**



\*OC000000012735070\*

Date Mailed: 05/21/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

01 FC:2001 MMEKONEN 00000014 10791682

02 FC:2051

03 FC:2202

385.00 OP

65.00 OP

117.00 OP

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$234** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1134** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$234**
    - **\$234** for 13 total claims over 20.
  
  - Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450
- 

*A copy of this notice **MUST** be returned with the reply.*

*UR*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

THE UNITED STATES PATENT AND TRADEMARK OFFICE  
FILING COMPLETION UNDER 37 CFR 52, 53, and/or 85

In re Application of:  
ROBERT G. SCHIAZZI ET AL.

Serial No.: 10/791,082

Filed: MARCH 2, 2004

Confirmation No.: 2590

Title: FLOW RESTRICTOR DEVICE FOR A MEDICAL APPARATUS

Attention: Mail Stop Missing Parts

Date: MARCH 2, 2004

Attorney Docket No.: RSZ-4

Group Art Unit: 3763

Our Customer ID: 22827

Our Account No.: 04-1403

Commissioner for Patents

U.S. Patent and Trademark Office

Post Office Box 1450

Alexandria, VA 22313-1450

**MAIL STOP MISSING PARTS**

Sir:

The following completes the filing of the above-identified patent application under Rule 52, 53, and/or 85:

- [X] Rule 53 signed Declaration enclosed.  
 [ ] This is a Rule 47 filing per attached Petition.  
 [ ] Enclosed: Original signed Declaration with attached specification (including claims) which is a copy of specification/claims originally filed to secure above filing date.  
 [ ] Specification originally filed in non-English language; hence verified translation attached of:  
 [ ] Abstract [ ] pages of Specification (only spec. & claims) [ ] Drawing Figs.  
 [ ] sheet(s) of formal drawings enclosed: size: [ ] A4 [ ] 14" [ ] 8½ by 11  
 [ ] Attached is an assignment to \_\_\_\_\_  
 [ ] Priority is hereby claimed under rule 55 and 35 U.S.C. 119 based on prior foreign application(s) no(s). \_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_, respectively.

Certified copy (copies) [ ] attached; [ ] already filed on \_\_\_\_\_ in U.S. Application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

- [X] "Small Entity" status under Rule 27 claimed. [ ] Attached: \_\_\_\_\_ Verified Statement(s) establishing "small entity."  
 [X] Attached is the request return copy of the PTO Notice under Rule 52, 53, and/or 85.  
 [ ] Attached: \_\_\_\_\_  
 [ ] Preliminary Amendment: \_\_\_\_\_

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

**PER MPEP § 506 AND § 607**

If not earlier paid, add Basic Filing Fee .....	\$ 770.00
Total Effective Claims 33 - 20 = 13 x \$18.00 =	\$ 234.00
Independent Claims 2 - 3 = ____ x \$86.00 =	\$ .00
If any proper multiple dependent claim (ignore improper) is present, add \$290.00	\$ .00
Filing Fee	\$ 1004.00

Since PTO Notice under Rule 52, 53, and/or 85 set an original due date of \_\_\_\_\_, petition is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$420; 3 months \$950; 4 months \$1480). \$ .00

If this is the first time either signed Declaration filed or filing fee paid, add Surcharge (\$130)	\$ 130.00
Subtotal	\$ 1134.00
If "small entity" status box above is X'd, enter half (1/2) of subtotal & subtract	\$ 567.00
Total =	\$ 567.00
If "non-English" box above is X'd, add Rule 17(i) or (k) processing fee \$130.00	\$ .00
If "assignment" box is X'd, add recording fee (\$40.00)	\$ .00
If "Rule 47" box above is X-d, add Petition fee \$130.00 Rule 17(h)	\$ .00

**TOTAL FEE ENCLOSED \$ 567.00**

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

Post Office Box 1449

Greenville, SC 29602

Customer ID No.: 22827

Telephone: 864-271-1592 / Facsimile: 864-233-7342 Signature: STEPHEN E. BONDURA

DORITY & MANNING, ATTORNEYS AT LAW, P.A.

By : STEPHEN E. BONDURA Reg. No. 35,070 Date: 7/20/04

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Mail Stop Missing Parts, Post Office Box 1450, Alexandria, VA 22313-1450, on JULY 20, 2004.

JACQUELINE M. LEONARD

(Taped or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
FILING COMPLETION UNDER 37 CFR 52, 53, and/or 85

In re Application

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**TOTAL FEE ENCLOSED \$ 567.00**

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

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Customer ID No.: 22827

Telephone: 864-271-1592 / Facsimile: 864-233-7342 Signature: *STEPHEN E. BONDURA*

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JACQUELINE M. LEONARD

(Name or printed name of person mailing paper or fee)

*Jacqueline M. Leonard*

(Signature of person mailing paper or fee)